

CHAPTER 311—H. F. No. 472.

An Act to legalize certain assignments of school land certificates made by an administrator of the estate of a deceased person in all cases where such administrator has made such assignments without license from the probate court.

Be it enacted by the Legislature of the State of Minnesota:

Certain assigned school land certificates legalized.—Section 1.

That in all cases within this state prior to the 1st day of January, 1898, where an administrator of the estate of a deceased person has during his administration made an assignment or assignments of school land certificates belonging to the estate of such deceased person without first having obtained a license from the probate court to make such assignment, or an order confirming the same, and when in any such case the administration of the estate has been closed and a final decree made and entered therein, that all such assignments shall be and the same are hereby declared to be legal and valid, and the records of such assignments heretofore actually recorded in the office of the register of deeds of the proper county shall in all respects be valid and legal.

Provided, that the provisions of this act shall not apply to any action or proceeding now pending in any of the courts of this state, or commenced therein within 90 days after the passage and approval of this act.

Sec. 2. This act shall take effect and be in force from and after its passage.

Approved April 21, 1909.

CHAPTER 312—H. F. No. 485.

An Act to legalize mortgage foreclosure sales heretofore made by foreign executors or administrators.

Be it enacted by the Legislature of the State of Minnesota:

Certain mortgage foreclosure sales legalized.—Section 1.

Every mortgage foreclosure sale heretofore made under a power of sale in the usual form, contained in any mortgage executed under the laws of the state of Minnesota, and recorded in the office of the register of deeds of the proper county, of real property in this state, is, together with the record of such sale, legalized and made valid and effective to all intents and purposes as against the following objections, viz.:

First. That the foreclosure was made by an executor or administrator appointed in another state who did not file an authenticated copy of his letters or other record of his appointment with

the register of deeds of the proper county prior to the foreclosure, *provided*, that such copy has been filed in such office prior to the passage of this act.

Second. Where a foreign executor or administrator failed to file for record with the register of deeds of the proper county, an authenticated copy of his letters or other record of his appointment, prior to the foreclosure, but did file such authenticated copy in said office subsequent to the foreclosure and prior to the passage of this act.

Sec. 2. The provisions of this act shall not affect any action now pending in any court in this state.

Approved April 21, 1909.

CHAPTER 313—H. F. No. 631.

An Act to amend section 573, Revised Laws of 1905, relating to salaries of county attorneys.

Be it enacted by the Legislature of the State of Minnesota:

Salary of county attorneys in certain counties.—Section 1. That section 573, Revised Laws of 1905, be and the same is hereby amended so as to read as follows:

Section 573. In all counties in which the compensation of the county attorneys is not fixed by special law the salary of the county attorney shall be as follows:

In counties whose population, according to the last completed state or national census, is less than forty-five thousand, the salary of the county attorney shall be fixed by the county board not exceeding two thousand dollars per year; if dissatisfied with the amount so fixed, any county attorney may appeal to the district court within thirty days by filing with the auditor a notice thereof. The court, either in term or vacation, and upon eight days' notice to the chairman of the board, shall hear such appeal and summarily determine the amount of such salary for the term of office by an order, a copy of which shall be filed with the auditor.

In counties whose population is forty-five thousand and less than seventy-five thousand, the salary shall be two thousand five hundred dollars per year, which shall be paid monthly by the county, which provision of this act shall not apply to counties having more than seventy-five thousand inhabitants.

This act shall take effect and be in force from and after its passage.

Approved April 21, 1909.